

## ECIP Policy and Procedures October 2007

<b>Purpose of Policy</b>	<p>Federal and state law requires CSD to allocate a portion of the total LIHEAP block grant allocation to provide an energy crisis intervention program (ECIP) that delivers timely and effective assistance to low income individuals to resolve energy-related emergencies. The purpose of this criteria is to clarify the allowable uses of ECIP funds by energy service providers in California.</p>
<b>Definition of Emergency</b>	<p>ECIP funds may only be used to resolve emergencies that fit the federal definition, including:</p> <ol style="list-style-type: none"><li>1. A natural disaster (whether or not officially declared),</li><li>2. A significant home energy supply shortage or disruption,</li><li>3. An official declaration of a significant increase in:<ol style="list-style-type: none"><li>a. Home energy costs,</li><li>b. Home energy disconnections,</li><li>c. Enrollment in public benefit programs, or</li><li>d. Unemployment and layoffs, or</li></ol></li><li>4. An official emergency declaration by the Secretary of Health and Human Services.</li></ol> <p>In those situations where there is <u>not</u> an official federal, state or local declaration of emergency (i.e., an undeclared natural disaster or a significant home energy supply shortage or disruption that affects a low-income individual), an emergency will be deemed to exist by CSD where there is imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.</p>
<b>Role of the LIHEAP Local Plan</b>	<p>CSD has expanded the LIHEAP Local Plan to collect general information related to the delivery of LIHEAP services, including ECIP services, at the local level.</p> <p>The Agency Profile will include statistical information – including demographic, income and geographical information, fuel type usage, climate data, and historical service and budgetary data derived from local and statewide programmatic and fiscal reporting – will be used to help justify each local service provider's priority plans and seasonal timeframes for delivering emergency heating and cooling services.</p> <p>This planning information is intended to enable each local service provider to support its service delivery plans and proposed budget allocations for emergency and non-emergency cash assistance, weatherization, emergency heating and cooling services, outreach and education, based on information unique to the service area.</p>
<b>Role of the ECIP Component in the Service Objectives and Goals</b>	<p>The ECIP component of the Services Objectives and Goals in the LIHEAP Local Plan is intended to guide the implementation and execution of the local service provider's LIHEAP activities, including emergency heating and cooling activities.</p> <p>This component is designed to produce a detailed narrative justifying the local service provider's Fast Track/WPO, ECIP Heating and Cooling Services, and ECIP SWEATS plan for services and budget, based on its prioritization of goals to serve vulnerable populations and the local heating and cooling seasons, among other things.</p>

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#### **Role of the ECIP Component in the Service Objectives and Goals** (continued)

At the provider's election, emergency heating and cooling services and emergency cash assistance may be prioritized according to vulnerable populations. The proposal for such prioritization shall be reasonably related to a current analysis of the local service area's needs and substantiated in the provider's LIHEAP Local Plan. Vulnerable populations that may be considered include, but are not limited to:

1. Elderly (60 years old and over)
2. Young children (5 years old and under)
3. Disabled or proof of other medical necessity
4. Households with the highest energy burdens

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#### **Local Service Provider Requirements for Charging to EHCS**

To charge activities to emergency heating and cooling services (EHCS) under ECIP, local service providers must do all of the following throughout the program year:

1. Provide services, including outreach and eligibility and application processing, at sites that are geographically accessible to all households in the service area.
2. Within 48 hours after a household applies for ECIP benefits, provide assistance that will resolve the energy crisis if the household is eligible.
3. Within 18 hours after a household applies for ECIP benefits provides assistance that will resolve the energy crisis if the household is eligible and there is a life-threatening situation.
4. Ensure that the ability for any household in the service area to submit an application for ECIP benefits is not limited by physical disability or geographical barriers.
5. Provide education to clients experiencing an emergency, including information on potential health and safety hazards.

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#### **Emergency Heating and Cooling Services (EHCS)**

- A. Allowable Services: ECIP funds may be used for the repair, replacement and new installation for certain heating and cooling (HVAC) appliances and water heating appliances identified by CSD, as long as there is documented proof that:

1. The applicant is income eligible and is able to submit the required documentation to complete the eligibility of the dwelling, AND
2. The applicant has insufficient funds to pay the cost of repairing or replacing an eligible heating or cooling appliance or for a new heating or cooling appliance, AND
3. The appliance condition meets any one of the Appliance Repair/Replacement Criteria (see Section B below) AND
4. The services to mitigate and completely resolve the emergency and satisfy the relevant Emergency Assistance Timeframes (see Section C below).

B. Appliance Repair/ Replacement Criteria:

1. HVAC/Hazardous Condition: The repair or replacement of an HVAC appliance qualifies under ECIP if it has a hazardous condition that poses a direct risk of fire or dangerous indoor air quality, including:

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#### Emergency Heating and Cooling Services (EHCS) (continued)

- a. High CO levels as identified per CSD CAS Testing Standards.
  - b. Gas or refrigerant leak.
  - c. Cracked heat exchanger.
  - d. Installation condition that violates a significant state or local building inspection code (e.g., a wood-burning stove in a mobile home).
  - e. Wood-burning stove in the home of an elderly or disabled tenant, or
  - f. Other hazardous condition, upon the pre-approval of CSD.
2. Water Heater/Hazardous Condition: The repair or replacement of a Water Heating appliance qualifies under ECIP if it has a hazardous condition that poses a direct risk of fire, or dangerous indoor air quality or living conditions, including:
  - a. High CO levels as identified per CSD CAS Testing Standards.
  - b. Gas Leak.
  - c. Installation condition violating a significant state or local building inspection code.
  - d. Ruptured tank and/or excessive water leakage from water heaters located within conditioned living areas. (Note: this does not authorize the use of ECIP funds to repair or replace leaking water heaters located in unconditioned living areas (e.g., garage, exterior water heater closets).)
  - e. Other hazardous condition, upon the pre-approval of CSD.
3. Nonexistent or Inoperable Appliance: The repair or replacement of an HVAC or Water Heating appliance qualifies under ECIP if it is nonexistent or wholly inoperable, AND the applicant EITHER:
  - a. Has a qualifying “medical condition” that requires temperature or climate control, as verified by a doctor’s recommendation or other objective evidence gathered at the time of application, OR
  - b. Is a member of a vulnerable population as identified in the LIHEAP Local Plan and the absence of the appliance creates an emergency health and safety need.

#### C. Emergency Assistance Timeframes

1. Mitigation: Mitigation is the “immediate action” taken in the short-term to address the emergency. An agency may charge all emergency heating and cooling services, including the eventual repair and replacement of an HVAC or Water Heating appliance, when the following mitigation is provided.
  - a. Hazardous Conditions: For all hazardous conditions, the agency must, at a minimum, cap or disable the HVAC appliance within eighteen (18) hours (if not already accomplished by another entity) and provide education.
  - b. Temporary Portable Devices: For all hazardous, nonexistent and inoperable HVAC appliances, the agency must offer to provide a temporary portable heating and/or cooling device to provide seasonally-appropriate indoor climate control until the HVAC appliance is repaired or replaced, as follows:

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#### **Emergency Heating and Cooling Services (EHCS)** (continued)

- i. Such device shall be offered within eighteen (18) hours to any applicant with a qualifying "medical condition" as described above.
  - ii. Such heating device shall be offered within eighteen (18) hours to any elderly or disabled applicant whose wood-burning stove is disabled.
  - iii. Such device shall be offered within forty-eight (48) hours to all other applicants.
2. Decision to Repair or Replace Appliance: In recognition of the limited funds available for all LIHEAP services, including ECIP services, each agency is authorized to determine whether or not it can repair or replace an individual hazardous, nonexistent or inoperable HVAC or Water Heating appliance based on considerations such as eligibility, cost/budget, and the agency's own LIHEAP Local Plan. Such determination shall be delivered in writing to each applicant if service cannot be provided no later than 30 calendar days after the initial assessment of the appliance.
3. Repair and Replacement: The repair and replacement of an HVAC appliance may be charged to ECIP when the agency can demonstrate that the repairs were scheduled and completed to the extent practicable ahead of all non-emergency weatherization, AND according to the LIHEAP Local Plan, AND no later than the end of the appropriate heating or cooling season identified in the LIHEAP Local Plan as follows:
  - a. The repair or replacement of a heater must be completed no later than the end of the current or immediately upcoming heating season, which ever comes first, OR
  - b. The repair or replacement of a cooler must be completed no later than the end of the current or immediately upcoming cooling season, which ever comes first, OR
  - c. If a heater or cooler is repaired or replaced after the end of the current or immediately upcoming season, the agency must obtain CSD's pre-approval by providing written justification for the delay, either on a case-by-case basis or in its LIHEAP Local Plan. If CSD grants approval for delayed emergency heating and cooling services, the agency shall use its best efforts to make programmatic or fiscal adjustments in subsequent years to achieve the seasonal requirements.

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#### **Local Service Provider Requirements for Charging to Fast Track/ WPO**

To charge activities to emergency heating and cooling services (EHCS) under ECIP, local service providers must do all of the following throughout the program year:

1. Provide outreach and general information to potential clients, including: eligibility, application processing, hours of operation, and other available resources to assist clients with managing utility expenses (i.e., utility funded bill assistance programs, balance payment programs, weatherization/home rehab programs).
  2. Provide education to clients experiencing an emergency, including education on potential health and safety hazards, and referral information to resolve the emergency situation.
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### **Emergency Utility Assistance**

- A. Allowable Services: ECIP Funds may be used for cash subsidy assistance benefit for:
1. Electric and Gas (Fast Track)
  2. Wood, propane and oil (WPO)
- B. Emergency Cash Assistance Criteria: Documented proof is required that the applicant is an eligible LIHEAP beneficiary and is experiencing any one of the qualifying emergency conditions to receive emergency utility assistance under ECIP.
1. Receipt of utility shutoff notice
  2. Utility or energy termination
  3. Insufficient funds to establish a new energy account
  4. Insufficient funds to pay a delinquent utility bill
  5. Insufficient funds to pay for essential firewood, oil, propane
- C. Mitigation: Mitigation is the “immediate action” taken in the short-term to address the emergency. For utility assistance emergencies, mitigation shall include either the issuance of a direct benefit (to the client or utility provider) or the issuance of a payment commitment to the servicing utility provider within 18-hours from both the date of eligibility (qualification) determination and commitment to provide services by agency.
1. Natural Gas & Electric Utility Customers: For clients with a qualifying electric or natural gas energy service emergency, agencies may use Fast Track funds to assist in paying arrearage balances, service reconnections fees, and deposits up to a maximum benefit of \$1,000 in efforts of avoiding service disruption. Due to program limitations, it is conceivable that the amount of assistance necessary to resolve the emergency may extend beyond the scope of program and service ability of the service provider. In these instances, agencies shall, to the extent both feasible and practical, attempt to resolve the emergency by exploring client partial payment and/or education and referral to other benefit providers.
  2. Wood, Propane and Oil Customers: For clients with a qualifying wood, propane, or oil energy emergency, agencies may use ECIP WPO funds to provide crisis intervention services, including the purchase of these energy commodities for distribution to qualified clients or the issuance of direct benefit assistance to either the qualified client or vendor (on behalf of the client).

Funding and Services Availability: Due to California’s diverse seasonal climates (heating and cooling seasons) combined with the fact that most delinquent utility bills often arrive beyond the periods of highest energy consumption, providers shall make utility cash assistance and emergency cash assistance services available throughout the full-term of the contract – unless justified in plan. Note: Agencies will be extended the flexibility to increase or decrease utility assistance program allocations throughout the term of the contract (budget modifications, amendments) in efforts to improve local responses to changing demands for services, climate events, and/or utility market events affecting consumer pricing and supply demand.

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